THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 6376 of 2007

Date:29-03-2007

Between:

T.S.Param Jyothi and another
PETITIONERS

AND

Dr. K.Anil Kumar and three others

..
RESPONDENTS

ORDER:

The petitioners seek a writ of mandamus to declare the impugned action of the respondents for dispossessing the petitioners from their residential house and not allowing them to pay the amounts released to the extent of loan based on petitioners' property, as illegal and arbitrary.

2. The petitioners have filed two writ petitions earlier viz. W.P.No.13346 of 2006 which was dismissed on 03.07.2006 and another W.P.No.14489 of 2006 which was dismissed on 15.03.2007. The petitioners are not entitled to file another writ petition for the self same relief. This Court in the earlier orders already stated that the petitioners hypothecated the property and therefore, the respondents can as well proceed against the properties of the principal borrower as well as the properties of the petitioners whose properties were also hypothecated. Therefore, the filing of the instant writ petition is nothing but an abuse of process of law.

The writ petition is accordingly dismissed. No costs.

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V.ESWARAIAH, J.

Date:29.03.2007
CCM